

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52015 of 2021

Arising Out of PS. Case No.-218 Year-2019 Thana- GOGRI District- Khagaria

MD. JABIR @ MD. JABIR HUSSAIN Son of Md Mustafa Shah Resident of
Village - Ward No.- 16, Sah Nagar, Jamalpur Gogri, P.S.- Gogri, District –
Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Siddhartha Kumar Singh, Adv.
For the State	:	Mr. Brajendra Nath Pandey, APP
For the Informant	:	Mr. Rajesh Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 03-03-2022

Heard learned counsel for the parties.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 366 and 34 of
the Indian Penal Code.

As per the prosecution case, the wife of the
informant as also the wife of his younger brother were
kidnapped by the eight named accused persons including the
petitioner herein. It is stated that even on earlier occasion, the
accused persons had threatened him that they would sell the
lady members of his family.

It is submitted by learned senior counsel appearing



for the petitioner that the petitioner has been falsely implicated in the case. So far as the seven other F.I.R. named accused persons are concerned, they were granted anticipatory bail vide order dated 5.11.2019 passed in Cr. Misc. no.65872 of 2019. It is submitted that the name of the petitioner transpired along with Md. Emran in the confessional statement of the victim recorded under section 164 Cr.P.C. The case of the petitioner stands on a similar footing to that of Md. Emran who has been enlarged on bail vide order dated 20.7.2021 passed in Cr. Misc. no.38975 of 2020. The petitioner is in custody since 4.3.2021 and chargesheet has been submitted in the case.

The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. Learned counsel for the informant submits that not only the petitioner is named in the F.I.R. but he is a part of the gang of accused persons who managed to sell females.

Having heard learned counsel for the parties and taking into consideration the facts of the case including grant of bail to Md. Emran and chargesheet having been submitted, the Court directs the petitioner to be enlarged on bail in connection with Gogri P.S. Case no.218 of 2019 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like



amount each to the satisfaction of the learned Judicial
Magistrate 1st, Khagaria.

(Partha Sarthy, J)

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